

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Senator RICHARD BLUMENTHAL, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity
as President of the United States,

Defendant.

No. 17-cv-1154-EGS

**CONSENT MOTION FOR EXTENSION OF TIME
TO ANSWER AND TO FILE LOCAL CIVIL RULE 16.3 REPORT**

Defendant, the President of the United States, respectfully seeks an extension of time of two weeks, from May 14, 2019 to May 28, 2019, to answer the Amended Complaint and for the parties to submit the report and proposed scheduling order required by Local Civil Rule 16.3. Plaintiffs' counsel consents to the extension request. In support of this motion, Defendant states as follows:

1. Plaintiffs, who are Members of Congress, filed this lawsuit alleging that the President has violated the Foreign Emoluments Clause of the Constitution. In September 2018, the Court denied Defendant's motion to dismiss in part, finding that Plaintiffs have Article III standing to sue. Thereafter, Defendant moved pursuant to 28 U.S.C. § 1292(b) for an interlocutory appeal of the Court's standing ruling. On April 30, 2019, the Court denied the remainder of the motion to dismiss and set a briefing schedule for supplemental filings on Defendant's pending § 1292(b) motion, with Defendant's initial brief due on May 14, 2019.

2. Pursuant to Federal Rule of Civil Procedure 12(a)(4)(A), the President's Answer is now due on May 14, 2019, the same deadline for his § 1292(b) brief. And pursuant to this

Court's Standing Order, the parties' joint report and proposed scheduling order required by Local Civil Rule 16.3 is also due on May 14, 2019.

3. Defendant respectfully asks for additional time to answer and to prepare the Rule 16.3 report. Good cause exists for this request because undersigned counsel must prepare the § 1292(b) brief during the same timeframe, in addition to addressing a large number of allegations in the Amended Complaint, and because Defendant will need to consider a wide range of topics as required by the Rule 16.3 in order to meet and confer with Plaintiff and to prepare the joint report. Accordingly, Defendant seeks a modest two-week extension of time for both the Answer and the Rule 16.3 report.

WHEREFORE, Defendant respectfully requests that the Court extend both Defendant's answer deadline and the deadline for the parties' Rule 16.3 report to May 28, 2019.

Dated: May 3, 2018

Respectfully submitted,

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/s/ Jean Lin

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[PROPOSED] ORDER

Upon consideration of Defendant's Consent Motion for Extension of Time to Answer and to File Local Civil Rule 16.3 Report and for good cause shown, it is hereby

ORDERED that the Motion is **GRANTED**; and it is further

ORDERED that Defendant shall file his Answer to the Amended Complaint, and the parties shall file their Local Civil Rule 16.3 report, on or before May 28, 2019.

SO ORDERED.

EMMET G. SULLIVAN
United States District Judge